

MINUTES

ARTESIA CITY COUNCIL CHAMBERS
18747 CLARKDALE AVENUE, ARTESIA, CA

REGULAR MEETING OF THE ARTESIA CITY
COUNCIL

MONDAY, JUNE 8, 2009

7:00 P.M.

The regular meeting of the Artesia City Council was called to order at 7:10 P.M. p.m., Monday, June 8, 2009, in the Artesia City Council Chamber by Mayor Sally Flowers. The Invocation was presented by Douglas Van Gessel, Th.M. The Pledge of Allegiance was led by Sgt. Greg Knapp of the Los Angeles County Sheriff's Department.

ROLL CALL – PRESENT: Larry R Nelson, Council Member
John Martins, Council Member
Victor Manalo, Council Member
Tony Lima, Mayor Pro Tem
Sally Flowers, Mayor

ALSO PRESENT: Maria Dadian, City Manager
Kevin Ennis, City Attorney
Justine Menzel, Deputy City Manager/Finance Officer
Gloria Considine, City Clerk
Okina Dor, Associate Planner

APPROVAL OF AGENDA

Motion by Council member Nelson, seconded by Council member Martins, to approve agenda.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

ANNOUNCEMENT REGARDING SPEAKER CARDS

Gloria Considine, City Clerk presented announcement regarding speaker cards.

CITIZEN COMMENTS ON ITEMS THAT ARE NOT ON THE AGENDA OR ITEMS LISTED UNDER THE HEADING CONSENT CALENDAR

Barbara Nightingale of the Artesia Library presented information regarding events occurring at the library.

Douglas Van Gessel presented information a water leak at 176th Street and Pioneer Boulevard and sidewalk hazard at 177th Street and Gridley Road.

Jose Vasquez expressed concern about the parking issues on 167th Street and safety concerns on 167th Street and Arkansas Street.

John Lyon stated that the Miss Artesia Pageant was outstanding and better than ever.

Rosa Becerra stated that the 167th Street and streets in the vicinity were in need of resurfacing.

Paul Rowley presented information regarding conservation rate implementation

CEREMONIAL PRESENTATION(S)

1. CERTIFICATE OF RECOGNITION FOR PUBLIC SERVICE WEEK

CERTIFICATE PRESENTED TO CHUCK BURKHARDT FROM JESSE CHENG REPRESENTATIVE FOR CONGRESSWOMAN LINDA SANCHEZ

2. PRESENTATION OF RELAY FOR LIFE VIDEO

REPORT AND VIDEO PRESENTED BY MELISSA GOBAS

3. PRESENTATION OF PORTRAITS TO MISS ARTESIA 2008 AND HER COURT AND MISS TEEN ARTESIA 2008 AND HER COURT

PORTRAITS PRESENTED TO MISS ARTESIA 2008 AND MISS TEEN ARTESIA 2008 AND THEIR COURTS

PRESENTATION OF PORTRAITS TO MISS ARTESIA 2009 AND HER COURT AND MISS TEEN ARTESIA 2009 AND HER COURT

PORTRAITS PRESENTED TO MISS ARTESIA 2009 AND MISS TEEN ARTESIA 2009 AND THEIR COURTS

4. CERTIFICATE OF RECOGNITION TO STEVE CIZMAR ON HIS RETIREMENT AS PRINCIPAL TO BURBANK ELEMENTARY SCHOOL

CERTIFICATE ACCEPTED BY STEVE CIZMAR, PRINCIPAL TO BURBANK ELEMENTARY SCHOOL

5. CERTIFICATE OF RECOGNITION TO SERAFIN AVILA FOR COMPLETION OF INTERNSHIP AT AJ PADEFORD PARK WORKING WITH TEENS AND PARENT GROUP

CERTIFICATE ACCEPTED BY SERAFIN AVILA

6. CERTIFICATE OF RECOGNITION TO MARIA CARRILLO FOR COMPLETION OF INTERNSHIP AT ARTESIA COMMUNITY CENTER WORKING WITH THE SENIOR

CERTIFICATE ACCEPTED BY MARIA CARRILLO

BUSINESS PRESENTATION(S)

7. 50TH ANNIVERSARY TIME CAPSULE PROJECT

Maria Dadian, City Manager presented the staff report for this item.

Veronique Bloomfield of the Historical Society presented information regarding the time capsule.

Motion by Council member Nelson, seconded by Mayor Pro Tem Lima to move forward with time capsule project and information regarding cost, date of burial, cost of monument and raising of money to be brought back to the City Council.

Said motion carries by the following roll call vote:

AYES:	COUNCILMEMBERS:	Nelson, Martins, Manalo, Lima and Flowers
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

8. ARTESIA STRATEGIC PLAN UPDATE

Justine Menzel, Deputy City Manager presented the staff report for this item.

Report was received and filed.

CONSENT CALENDAR

Motion by Council member Manalo, seconded by Mayor Pro Tem Lima to approve consent calendar with exception of Items 11, 13, 16 17 and 18.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

9. EXCUSING COUNCILMEMBERS WHO ARE ABSENT FROM MEETING

10. WAIVING OF FULL READING OF ORDINANCES LISTED ON AGENDA

11. APPROVAL OF CITY COUNCIL DEMANDS

Council member Nelson inquired if demands had to be approved by show of hands.

Kevin Ennis, City Attorney stated that he never heard of that requirement.

Motion by Council member Nelson, seconded by Councilmember Manalo to approve City Council demands.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

12. APPROVAL OF CITY COUNCIL FINANCIAL REPORTS

**13. APPROVAL OF CITY COUNCIL MINUTES FOR THE FOLLOWING MEETINGS:
MAY 11, 2009 – REGULAR MEETING**

Motion by Council member Nelson, seconded by Council member Martins to approve May 11, 2009 City Council minutes.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: Manalo
ABSENT: COUNCILMEMBERS: None

14. APPROVAL OF COMMISSION MINUTES

- PUBLIC SAFETY – MARCH 17, 2009
- BEAUTIFICATION AND MAINTENANCE – MARCH 19, 2009
- PARKS AND RECREATION – March 25, 2009

15. FIRE FLOW REQUIREMENTS FOR THE WATER LINES ON 183RD STREET EAST OF GRIDLEY TO SUMMER AVENUE

16. STATUS REPORT REGARDING 12 MILES OUT WEBSTREAMING

Report received and filed

17. CONSOLIDATED DISPOSAL SERVICES REPORT FOR JANUARY-APRIL 2009 "IN-KIND ROLL-OFF BINS FOR THE CITY"

Mayor Pro Tem Lima expressed concerns about the 5 year clause. He inquired if the Contract could be modified.

Kevin Ennis, City Attorney explained the Evergreen Clause.

Mayor Pro Tem Lima stated that he would like to see more information.

Mayor Flowers suggested item be put on the City Council agenda for June 15, 2009.

18. REQUEST FOR APPROVAL OF THE CITY'S PARTICIPATION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION NUTRITION SERVICES DIVISION TO PROVIDE A SUMMER FOOD SERVICE PROGRAM AND AUTHORIZATION TO SECURE MEALS FOR THE PROGRAM THROUGH THE ABC UNIFIED SCHOOL DISTRICT

Council member Manalo inquired if this program had been done previously in the City.

Maria Dadian, City Manager replied that this program has been in the city for 15 years. She said this would be the second year with ABC School District.

Motion by Council member Manalo, seconded by Mayor Pro Tem Lima to approve summer food service program and authorization to secure meals for the program Through the ABC Unified School District.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

19. WEST COAST ARBORISTS RENEWAL OF TREE MAINTENANCE AGREEMENT FOR FISCAL YEAR 2005-2006

20. CONSIDERATION AND APPROVAL OF THE AMENDMENT TO CITY-COUNTY MUNICIPAL LAW ENFORCEMENT SERVICES AGREEMENT

21. GOOD TIME TRAVEL COMPANY FOR SENIOR OUT OF TOWN/OVERNIGHT EXCURSIONS

22. UPDATE REPORT RELATIVE TO THE MEETING WITH MY KIE CHO'S INQUIRY IN REGARDS TO THE MEASURE V BUSINESS LICENSE TAX

**PUBLIC HEARING(S)
ADMINISTRATION OF OATH**

Kevin Ennis, City Attorney administered the oath.

**23. CASE NO. 2009-01 VARIANCE, CONDITIONAL USE PERMIT
16725 PIONEER BOULEVARD**

Edi Pouldar, 16725 Pioneer Boulevard, Artesia, Ca. 90701

A request for approval of a variance to allow the sale of alcoholic beverages for consumption off premises within 100 feet of a residential zone and 1000 feet off an existing automobile service station where alcoholic beverages are sold for consumption off premises, and also a request for approval of a conditional use permit to sell alcoholic beverages for consumption off-premises at an existing automobile service station. Both requests are for the premises located at 16725

Pioneer Boulevard in the Commercial General (C-G) Zone.

Motion by Council member Martins, seconded by Council member Manalo to continue public hearing and Case No. 2009-01 to the July 13, 2009 City Council meeting.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

24. ARTESIA STREET LIGHTING MAINTENANCE DISTRICT FISCAL YEAR 2009-2010 ASSESSMENT

AND

RESOLUTION NO. 09-2142

A Resolution of the City Council of the City of Artesia Confirming a Diagram and Assessment for the 2009-2010 Fiscal Year and Ordering the Improvements in Connection with the City of Artesia Street Lighting Maintenance District Pursuant to the Provisions of Part 2 of Division 15 of the Streets and Highways Code.

(ADOPTION)

Justine Menzel, Deputy City Manager presented the staff report for this item.

Motion by Council member Martins, seconded by Council member Nelson to continue the public hearing.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Motion by Council member Manalo, seconded by Mayor Pro Tem Lima to waive further reading and adopt Resolution No. 09-2142 as read by title.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

25. Case No. 2009-20

**Code Amendment
18747 Clarkdale Avenue**

City of Artesia, 18747 Clarkdale Avenue, Artesia CA 90701

A request for approval of a Code Amendment to amend the Artesia Municipal Code to allow administrative approval for modifications to color on structures or elements thereof in all zones in the City of Artesia.

And

Ordinance No. 09-747

An Ordinance of the City of Artesia Amending the Artesia Municipal Code to Allow Administrative Approval for Modifications to Color on Structures or Elements Thereof in all zones in the City of Artesia.

(First Reading and Introduction)

Okina Dor, Planning Associate presented the staff report for this item.

City Council discussed color chart range.

Motion by Council member Nelson, seconded by Council member Manalo to continue public hearing and Case No. 2009-20 to the July 13, 2009 City Council meeting.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

26. Case No. 2009-21

**General Plan Amendment and Zone
Map Amendment
18747 Clarkdale Avenue**

City of Artesia, 18747 Clarkdale Avenue, Artesia CA 90701

A request for approval that includes the following two components: 1) General Plan Amendment: a request to amend the Land Use Element of the Artesia General Plan to change the land use designation from Commercial General to Low Density Residential for the properties located along the north side of Hibbing Street; and 2) Zone Map Amendment: a request to amend the Artesia Zoning Map to rezone properties located along the north side of Hibbing Street from Commercial General (C-G) to Single-Family Residential (R-1) Zone.

And

Ordinance No. 09-748

An Ordinance of the City of Artesia Amending the Artesia Zoning Map to Rezone those Properties from Commercial General (C-G) to Single-Family Residential (R-1).

(First Reading and Introduction)

And

Resolution No. 09-2149

A Resolution of the City Council of the City of Artesia Amending the Land Use Element of the Artesia General Plan to Change the Land Use Designation for the Properties Located on the North side of Hibbing Street Between Norwalk Boulevard and Ely Avenue From General Commercial to Low Density Residential.

(Adoption)

Okina Dor presented the staff report for this item.

Motion by Council member Nelson, seconded by Council member Manalo to waive further reading and adopt Resolution No. 09-2149 as read by title.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Motion by Council member Nelson, seconded by Council member Martins to waive further reading and introduce Ordinance No. 09-748 as read by title.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

27. Case No. 2009-16

**Tentative Parcel Map
11727 Arkansas Street**

Total Environmental Management Inc. 11727 Arkansas Street, Artesia, Ca. 90701
A request for approval of a Tentative Parcel Map No. 70937 to consolidate three
(3) lots into one for property located at 11727 Arkansas Street in the Light
Manufacturing and Industrial (M-1) Zone.

And

Resolution No. 09-2147

A Resolution of the City Council of the City of Artesia Approving of Tentative Parcel Map
No. 70939 to Consolidate Three (3) Separate Parcels of Land into One (1) Parcel of
Land for the Property Located at 11727 Arkansas Street in the Light Manufacturing and
Industrial (M-1) Zone.

(Adoption)

Okina Dor presented the staff report for this item.

Johnny Lu thanked staff and stated that they were proposing 50% more landscaping
and 100% more parking. He requested approval of this tentative parcel map.

Motion by Council member Nelson, seconded by
Mayor Flowers to close the public hearing.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Council member Nelson inquired if the trucks would be parking in the lot and not on
Arkansas Street.

Mr. Scheetz stated that at night the trucks would be parked on the property.

Council member Nelson inquired if staging would occur on Arkansas Street during the
day.

Mr. Cook stated that currently the facility is a dirt lot and the equipment cannot be driven
On.

Council member Nelson inquired if with the consolidation of lots it would rectify the
Problem.

Planning Associate Dor stated that the condition does not allow outdoor storage. He
said that there would be improvements for lot parking.

Council member Nelson inquired if the surface would be repaired.

Planning Associate Dor replied by saying yes.

Council member Nelson inquired if the rig trucks would be parked on resurfaced area.

Mr. Scheetz replied that some service trucks will be on Arkansas Street but the majority
of the trucks would be located on lot.

Kevin Ennis, City Attorney stated that he reviewed the conditions and didn't any condition addressing limitation of staging or use of Arkansas Street.

Planning Associate Dor replied that was correct. He said that condition no. 22 states "There shall be no outdoor storage allowed on-site. Any future proposal to include outdoor storage of any kind shall be subject to approval and modification of this entitlement."

City Attorney Ennis stated that condition does not deal with vehicles parking or staging on the street.

Planning Associate Dor stated that doesn't address vehicles parking or staging on the Street.

Mr. Cook stated that they had one driveway that was asphalted for staging.

Mayor Pro Tem Lima inquired if trucks would be parked on the street after the lots are consolidated.

Mr. Cook replied by saying yes.

Council member Nelson stated that the streets in that area are congested with vehicles and pallet jacks.

Mayor Flowers suggested adding condition regarding no parking or conducting business on the street. She inquired if there was parking on the property for employees.

Mr. Cook replied by saying yes.

Mayor Flowers inquired as to where would loading take place.

Mr. Cook replied on the property.

Council member Martins stated that the City Council cannot approve something were forklifts on the street for loading and unloading takes place.

Mr. Cook stated that they would park trucks on the street.

Mayor Flowers inquired as to why the truck would be parked on the street after the lots are consolidated.

Mr. Cook replied the service trucks would park on the street waiting for service.

PLANNING COMMISSION RECOMMENDATION(S)

28. Case No. 2009-11

Conditional Use Permit Modification and Design Review

18525 Pioneer Boulevard

Rajdhani Restaurant, 18525 Pioneer Boulevard, Artesia CA 90701

A request for (1) approval of a modification of a conditional use permit and (2) design review approval of an outdoor dining area for the property located at 18525 Pioneer Boulevard in the Commercial General (C-G) Zone.

(Planning Commission recommends approval)

AFFIRMED PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL 5-0

29. Case No. 2009-12

Conditional Use Permit Modification 17510 Pioneer Boulevard

Jonathan Matson, 13271 South Street, Cerritos CA 90701

A request for approval of a modification to a conditional use permit in order to expand the size of an existing office use on the second floor of an existing commercial center located at 17510 Pioneer Boulevard in the Commercial General (C-G) Zone.

(Planning Commission recommends approval)

AFFIRMED PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL 5-0

30. Case No. 2009-13

Conditional Use Permit

17828 Pioneer Boulevard

Jonathan Matson, 13271 South Street, Cerritos CA 90701

A request for approval of a conditional use permit to allow a service and professional use on the ground floor for the property located at 17828 Pioneer Boulevard in the Commercial General (C-G) Zone.

(Planning Commission recommends approval)

SET FOR PUBLIC HEARING AT THE JULY 13, 2009 CITY COUNCIL MEETING

5-0

31. Case No. 2009-14

**Variance, Conditional Use Permit,
and Design Review**

17022 Roseton Avenue

Michelle Fellen, 2903-H Saturn Street, Brea CA 92821

A request for approval of a variance to allow for the construction of a ten (10) feet high block wall, a conditional use permit and design review to install an emergency generator as accessory equipment to an existing wireless communication monopole for the property located at 17022 Roseton Avenue in the Light Manufacturing and Industrial (M-1) Zone.

(Planning Commission recommends approval)

**APPROVED VARIANCE AND SET FOR PUBLIC HEARING CONDITIONAL USE
PERMIT AND DESIGN REVIEW APPLICATION 5-0**

32. Case No. 2009-16

**Conditional Use Permit Modification
11727 Arkansas Street**

Total Environmental Management, Inc. 11727 Arkansas Street, Artesia, Ca. 90701

A request for a conditional use permit to allow for a warehouse use for the property located at 11727 Arkansas Street in the Light Manufacturing and Industrial (M-1) Zone.

(Planning Commission recommends approval)

SET FOR PUBLIC HEARING AT THE JULY 13, 2009 CITY COUNCIL MEETING

5-0

RESOLUTION(S)

33. RESOLUTION NO. 09-2144

A Resolution of the City Council of the City of Artesia, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on Tuesday, November 3, 2009, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

(ADOPTION)

34. RESOLUTION NO. 09-2145

A Resolution of the City Council of the City of Artesia, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidate's Statements Submitted to the Voters at an Election to be Held on Tuesday, November 3, 2009.

(ADOPTION)

**WAIVED FURTHER READING AND ADOPTED RESOLUTION NO. 09-2145 AS
READ BY TITLE 5-0**

35. RESOLUTION NO. 09-2146

A Resolution of the City Council of the City of Artesia Updating the Locations of Street Improvements to be Funded Under Proposition 1B Funds.

(ADOPTION)

**WAIVED FURTHER READING AND ADOPTED RESOLUTION NO. 09-2146 AS
READ BY TITLE 5-0**

ORDINANCE(S)

36. ORDINANCE NO. 09-743

An Ordinance of the City of Artesia Excluding Specified Areas of a Building from the Definition of Floor Area Used to Calculate Off-Street Parking Requirements and Amending the Artesia Municipal Code.

(SECOND READING AND ADOPTION)

WAIVED FURTHER READING AND ADOPTED ORDINANCE NO. 09-743 AS READ BY TITLE 3-2 NO-NELSON AND LIMA

37. ORDINANCE NO. 09-746

An Ordinance of the City of Artesia Establishing Charges Against Residential Properties within the City for the Collection, Removal and Disposal of Garbage, Rubbish and Waste Materials.

(SECOND READING AND ADOPTION)

**WAIVED FURTHER READING AND ADOPTED ORDINANCE NO. 09-746
5-0**

STAFF REPORTS

**38. CORRESPONDENCE RELATIVE TO SISTER CITY RELATIONS BETWEEN ARTESIA AND ZACAPU, MICHOACAN
RE-ESTABLISHMENT OF SISTER CITY RELATIONSHIP DENIED AT THIS TIME
5-0**

**39. A REPORT ON THE STATUS OF THE ARTESIA BUSINESS ASSOCIATION
*RECEIVED AND FILED***

ADDITIONAL CITIZEN COMMENTS

This time is set-aside for the public to address the City Council on any item of interest within the subject matter jurisdiction of the City Council that could not be heard under citizen comment section at the beginning of the meeting.

NO ADDITIONAL CITIZEN COMMENTS

COUNCILMEMBER COMMENTS

This is the time for additional general comment, announcements, and requests of staff and/or other issues of concern to Councilmembers that may briefly be presented at this time.

Council member Nelson commented that RTA was not present at the Miss Artesia Pageant because they were at the soccer event. He commented on story boards that were at ICSC. He explained the reasoning why he was not in attendance at the 50th Anniversary Birthday Party.

Council member Manalo commented on the Memorial Day event . He stated that he received an email from the South Asian Network.

Mayor Pro Tem Lima stated that he attended the Miss Artesia Pageant, baseball closing day and two grand openings.

Mayor Flowers commented on the issue of bonds.

Council member Martins commented on the backup on Pioneer Boulevard located near the freeway.

COUNCILMEMBER REPORTS ON MEETINGS ATTENDED AT PUBLIC EXPENSE

Mayor Flowers- Contract Cities

Councilmember Martins – Contract Cities and ICSC

Mayor Pro Tem Lima – Contract Cities and ICSC

Council member Manalo – Contract Cities
Council member Nelson – ICSC and SCAG